

ENCROACHMENT PERMIT

THIS AGREEMENT is made by and between THE MAYOR AND ALDERMEN OF THE CITY OF VICKSBURG, MISSISSIPPI (City) and Phon + Phon + Phon (Owner) who is the owner of real property located at 723 Grove Street, Vicksburg, Mississippi, and the parties agree as follows:

1. Owner desires to construct a balcony for the second floor of the building located at 723 Grove Street, Vicksburg, MS;

2. The construction of the balcony will require that it hang over the city right-of-way and that its support beams be located within the city right-of-way; and

3. City consents to the balcony and its supports encroaching upon city right-of-way as long as it does not obstruct the right-of-way, make the right-of-way unsafe, limit access to the right-of-way or make it non-compliant with the Americans with Disabilities Act.

4. Owner agrees that the city right-of-way will not be obstructed, made unsafe, limit access or violate the Americans with Disabilities Act.

5. Owner further agrees to indemnify and hold the City of Vicksburg harmless from any and all claims,, damages, costs or expenses that may result, in whole or in part, from balcony and its supports being located in the city right-of-way.

THIS THE 12 DAY OF Aug, 2016.

Owner,



City of Vicksburg, MS

George Flaggs, Jr., Mayor